

HOUSE BILL 2355

By Bone

AN ACT to amend Tennessee Code Annotated, Title 43, Chapter 11, relative to fertilizers and liming materials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 43-11-403(a), is amended by deleting subdivisions (6) and (7) in their entirety and by substituting instead the following:

(6) Calcium carbonate equivalent as determined by methods prescribed by the Association of Official Analytical Chemists and as specified in subsection (f). Minimum calcium carbonate equivalents shall be as prescribed by regulation;

(7) The minimum percent by weight passing through United States standard sieves as prescribed by regulations and as specified in subsection (f); and

SECTION 2. Tennessee Code Annotated, Section 43-11-403, is further amended by adding the following language as a new subsection (f):

(f)

(1) Agriculture liming materials sold, offered for sale, or distributed in packages weighing more than one hundred (100) pounds or in bulk in this state shall indicate the Calcium Carbonate Equivalent, the percentage of product passing through the U.S. Standard Sieve sizes of 10-mesh and 40-mesh screen, and the relative neutralizing

value (RNV) by affixing such information to each package in a conspicuous manner on the label, tag, or statement, or in the case of bulk sales on a delivery slip.

(2) If the use of a 60-mesh screen is used in calculating the relative neutralizing value (RNV), the percentage of product passing through such screen shall also be indicated in addition to the requirements of subsection (a).

(3) Agricultural liming materials sold, offered for sale, or distributed in packages of one hundred (100) pounds or less shall indicate the Calcium Carbonate Equivalent, and the percentage of product passing through the U.S. Standard Sieve sizes of 10-mesh or 40-mesh screens by affixing such information to each package in a conspicuous manner on the label, tag or statement.

SECTION 3. Tennessee Code Annotated, Section 43-11-405, is amended by deleting such section in its entirety and by substituting instead the following:

§43-11-405

(a) Every manufacturer distributing liming materials in this state shall submit an application for a license to the commissioner on or before August 15 of each year, or prior to the manufacture or distribution of the liming material. All applications shall be submitted on forms furnished by the commissioner; provided, however, such application forms shall in no way require the submission of information that divulges any licensee's operation.

(b) All license applications must be accompanied by a fee of one hundred dollars (\$100). All licenses expire on July 31 of the following year.

SECTION 4. Tennessee Code Annotated, Section 43-11-406, is amended by deleting such section in its entirety and by substituting instead the following:

§43-11-406

(a) Within sixty (60) days following the expiration of the manufacturer's license, each licensee shall submit on a form furnished or approved by the commissioner an annual statement setting forth by county and grand division, the number of net tons of each agricultural liming

material sold by such licensee for use in the state during the previous twelve-month period.

Such statement shall be accompanied by payment of the inspection fee at the rate of ten cents (10¢) per ton.

(b) The commissioner shall publish and distribute annually to each agricultural liming material licensee, the chair of the house agriculture committee, the chair of the senate commerce, labor and agriculture committee, and other interested persons a composite report showing the tons of agricultural liming material sold in each county and grand division of the state. The reporting requirements of this section shall in no way require the submission of information that divulges the operation of any licensee.

SECTION 5. This act shall take effect July 1, 2002, the public welfare requiring it.